

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TONY LAMAR CARD,

Plaintiff,

v.

KING COUNTY SUPERIOR COURT, *et al.*,

Defendants.

CASE NO. C23-1343-JCC

ORDER

This matter comes before the Court on Plaintiff's second amended complaint (Dkt. No. 8) and praecipe to issue summons (Dkt. No. 9). Plaintiff filed the most recent complaint in response to an order to show cause (Dkt. No. 7). In that order, the Court explained that, pursuant to 28 U.S.C. § 1915(e)(2), a complaint that fails to state a claim upon which relief can be granted must be dismissed. (*See id.* at 1.) The Court then went on to describe the pleading infirmities contained in Plaintiff's first amended complaint, including a lack of coherent allegations and various immunities which the complaint failed to address. (*See id.* at 1–2.) The order to show cause indicated that, if Plaintiff could not cure those infirmities, the Court would dismiss the case without prejudice.

The Court has reviewed Plaintiff's second amended complaint (Dkt. No. 8). Even applying the Ninth Circuit's directive to construe *pro se* complaints liberally, the Court cannot find that Plaintiff has stated a claim upon which relief can be granted. *See Hebbe v. Pliler*, 627

1 F.3d 338, 342 (9th Cir. 2010). Not only does the second amended complaint not cure the
2 infirmities described above, it also fails to comply with rules of civil procedure. It contains
3 neither a “short” nor “plain statement” of the grounds for this Court’s jurisdiction, the claim, or
4 the demand for relief. Fed. R. Civ. P. 8. Nor does it contain separate claims in clearly numbered
5 paragraphs. *See* Fed. R. Civ. P. 10. Instead, attached to the second amended complaint (Dkt. No.
6 8) is a voluminous 524-page exhibit strewn with irrelevant documents. (Dkt. No. 8-1.)

7 For these reasons, and pursuant to 28 U.S.C. § 1915(e)(2), Plaintiff’s second amended
8 complaint (Dkt. No. 8) is DISMISSED without prejudice.

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10 DATED this 12th day of October 2023.

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13 A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

14 John C. Coughenour
15 UNITED STATES DISTRICT JUDGE
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